

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

GINO LAVERN PICKETT

Plaintiff,

v.

DR. BRENDA SOWTER;
MARION COUNTY SHERIFF'S OFFICE

Defendants.

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No. 1:10-cv-68

Chief District Judge Curtis L. Collier

MEMORANDUM

Plaintiff Gino Lavern Pickett ("Pickett") filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 [Court File No. 1]. On April 23, 2010, the Court issued an order directing Pickett to complete the service packets and return them to the District Court Clerk within twenty (20) days from the date of receipt of the order [Court File No. 4]. Pickett was forewarned that failure to return the completed service packet within the time required could jeopardize his case.

Pickett has not responded to the Court's April 23, 2010, Order. Although he has sent two documents which the Clerk has docketed as letters to the Clerk's office, Pickett has not completed the service packets as previously Ordered or offered any explanation as to why he has not complied with the Order [Court File Nos. 5, 6]. Pickett's failure to timely respond to the Court's Order results in a finding by the Court that Pickett has failed to comply with its Order. Consequently, the Court will dismiss Pickett's complaint for noncompliance with its Order and failure to prosecute.

Rule 41(b) of the Federal Rules of Civil Procedure allows a court to dismiss an action *sua sponte* for failure to prosecute or for failure to comply with the federal rules or any court order. This authority is based on the Court's inherent authority to control its docket and prevent undue delays in the disposition of pending cases.

Therefore, this action will be **DISMISSED** for Pickett's failure to prosecute and to comply with the orders of this Court. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

A judgment will enter.

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE